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9 Attorneys for Defendant  
10 WALMART INC.

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 LEE KIRK,

14 Plaintiff,

15 v.

16 WALMART INC., an Arkansas corporation;  
17 ROE CORPORATIONS 1 to 10,

18 Defendants.

Case No. 2:23-cv-00020-APG-EJY

STIPULATION AND ORDER TO  
CONTINUE EARLY NEUTRAL  
EVALUATION SESSION

[FIRST REQUEST]

19 Plaintiff LEE KIRK (“Plaintiff”) and Defendant WALMART INC. (“Defendant”), by and  
20 through their respective counsel of record, hereby stipulate and agree to continue the date for the  
21 Early Neutral Evaluation (ENE) Session presently scheduled for March 23, 2023 at 10:00 a.m.,  
22 before U.S. Magistrate Judge Daniel J. Albregts (**ECF No. 11**), due to the unavailability of  
23 Defendant’s representative, who will be in a company-wide meeting, as well as the trial schedule  
24 of Plaintiff’s counsel.

25 The parties are available and propose the following eight (8) alternative dates, or any other  
26 dates available on this Court’s calendar on or after March 23, 2023:

- 27 • *April 19, 2023*
- 28 • *April 20, 2023*
- *April 21, 2023*
- *April 24, 2023*
- *April 25, 2023*
- *April 26, 2023*

- *April 27, 2023*
- *April 28, 2023*

The parties further request that the confidential written evaluation statement be due to Magistrate Judge Albregts' chambers one week prior to the new date of the ENE Session **by 4:00 p.m.**

The parties further request that any motions for exemption from the Court's attendance requirements at the ENE be reset to 10 days prior to the new date of the ENE Session.

This extension is sought in good faith, and not for the purpose of delay.

Dated: March 13, 2023

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Respectfully submitted,

Respectfully submitted,

/s/ Jonathan D. Roven

JONATHAN D. ROVEN, ESQ.

Attorneys for Plaintiff  
LEE KIRK



Z. KATHRYN BRANSON, ESQ.  
LITTLER MENDELSON, P.C.

Attorneys for Defendant  
WALMART INC.

**IT IS SO ORDERED.** The Early Neutral Evaluation scheduled for March 23, 2023 is VACATED and **RESET** to **Thursday, April 27, 2023 at 10:00 a.m.**

**IT IS FURTHER ORDERED** that the confidential evaluation statements must be submitted by 4:00 p.m. on Thursday, April 20, 2023.

**IT IS FURTHER ORDERED** that all other provisions of the Court's prior Order (ECF No. 11) remain in effect.

DATED: March 14, 2023



DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE